Abstract Proceedings of the Travancore Legislative Council.

The Council met again in the Dewan's room, Public offices, at 1 P. M. on Tuesday, the 7th August 1894.

PRESENT :—

The Dewan—*Presiding.*
M. R. Ry. K. Krishnaswamy Rao Avergal.
Mr. F. Watts.
M. R. Ry. V. Nagam Iyer Avergal.
Mr. T. F. Bourdillon.
M. R. Ry. Kerala Varma Avergal, the Valia Coil Thampuran.
M. R. Ry. N. Madhavan Thumby Avergal.
M. R. Ry. E. Rama Iyer Avergal.

The Secretary presented a petition from Thelliyal Mathai Ousep in which he protested against the provisions of the Jenmi and Tenant Bill being applied to the Poonyat Edavagay. As copies of it were circulated among the members the previous day, it was taken as read.

The consideration of the Bill was resumed.

The President remarked that, as he observed at the last meeting, the main question for consideration was the scope of the definition of 'Jenmom land'—whether the expression should cover only Brahmaswam and Devaswam lands or embrace all lands of that description, Brahmin or non-Brahmin. His attention had been drawn to the course of judicial decisions on the subject and to their tendency to restrict the application of the Proclamation of 1042 to Brahmaswam and Devaswam lands. But, in his view, that interpretation was sustained neither by the letter nor the spirit of the Proclamation—a view clearly supported by Sir T. Madava Row's memorandum and connected correspondence which formed the basis of the Proclamation and in which the whole question would be found discussed with his characteristic thoroughness and lucidity.

The President read out portions from these papers and pointed out that the interpretation of the Courts was probably suggested by Sir T. Madava Row's allusion to the traditional origin of the Malabar Jenmies but that the allusion had avowedly only an antiquarian value. Surely, Sir T. Madava Row could not have bethought himself of Parasu Rama's feudalism as the best solution of the vexed question. Sir T. Madava Row alluded to it to deprecate its being used as the basis of settlement. The President then dwelt at length upon the expediency of adopting a liberal interpretation of the Proclamation concluding that in pursuance of the policy enunciated by the Proclamation the legislature should take the opportunity to correct the effect of the decisions of the Courts and that he would therefore ask the Council to determine, first and foremost, the scope of the definition.

Mr. Watts then formally moved that the scope of the Bill be extended so as to take in other Jenmies than Brahmins.

The Valia Coil Thampuran seconded the motion.

Mr. Rama Iyer supported it and said :—

" Gentlemen,

As a member of the Select Committee I would like to make a few observations in reference to the question now before the Council. You are aware that the original Bill was framed mainly on the lines recommended by the Jenmi and Tenant Commission. This Commission seems to have confined its enquiry chiefly to the Brahmin Jenmies, though there was a recommendation in their reports to include certain non-Brahmins, who are said to be the representatives of once ruling chiefs, within the scope of the present legislation. Following this suggestion, the Select Committee too has framed the definition of Jenmi so as to confine its scope to non-Brahmins and the representatives of the chiefs above alluded to. Since the suggestion of the President the other day to extend the scope of the Regulation, I have with his kind help gone through the Sircar Ayacut accounts and some of the correspondence which led to the Royal Proclamation of 1042. The account called Thirattu is a very interesting document. While there is a Thirattu for the whole State there is one for each Taluq. The Taluq Thirattu which gives the total extent of the landed property within the Taluq, divides the nature of the tenure under different heads and a perusal of those heads points to the conclusion that two main divisions are contemplated—the one, the various tenures which may be grouped under a comprehensive term called the Pandara-Vagai tenures and the other, tenures which are not Pandara Vagai but are popularly known

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